

Art Unit: 1617

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Please note that the examiner's amendment is only changing format issues and not substantive issues and therefore a supplemental oath is not required.

Authorization for this examiner's amendment was given in a telephone interview with Caroline M. Nash on January 13, 2008.

Amend the application as following:

In the claims, amend claims 2, 7 and 11 as following;

Claim 2 (Amended) The immunostimulating composition described in claim 1 wherein the immunogenic substance is an antigen and the antigen is pre-encapsulated into a conformationally stabilizing hydrophilic matrix consisting of an appropriate mono, di- or tri-saccharide or other carbohydrate [substance] substance by lyophilization prior to its final encapsulation into the PLG microsphere by a solvent extraction process employing acetonitrile as the polymer solvent, mineral oil as the emulsion's external phase, and heptane as the extractant.

Claim 7 (twice amended) A vaccine consisting of a blend of immunostimulating composition [compositions] of claim 5 [described in claims 5 or 6].

Claim 11 (twice amended) A vaccine consisting of a blend of immunostimulating composition [compositions] [described in claims 5] of claim 6.

***Reasons for Allowance***

The supplemental reissue declaration, the amendments and remarks submitted August 15, 2008 have been fully considered and are found persuasive to put the application in condition for allowance with the amendments set forth above.

Claim 2 in the copy of claims submitted August 15, 2008 recites "PLGA", wherein the original claim 2 in issued US patent recites "PLG". "PLGA" is changed to "PLG" in the examiner's amendment. Claims 7 and 11 are amended by changing "compositions" to "composition." For reasons stated in the prior office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shengjun Wang whose telephone number is (571) 272-0632. The examiner can normally be reached on Monday to Friday from 7:00 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan, can be reached on (571) 272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Shengjun Wang/

Primary Examiner, Art Unit 1617